



Worstead Pre-school

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BULLYNG & HARASSMENT POLICY

Policy Statement

The Preschool wishes to provide a stimulating and supportive working environment which will enable its staff to fulfil their personal potential. Such an environment cannot exist where any member of staff or volunteer is subjected to bullying, harassment, intimidation, aggression or coercion.

The Preschool is fully committed to the principles of equality and diversity in the workplace and regards harassment as a form of discrimination. The Preschool will not tolerate any form of bullying or harassment.

Employees and volunteers should feel empowered to raise any complaints if they see or experience inappropriate behaviour.

Bullying and harassment is a behaviour that makes someone feel intimidated or offended. Harassment is unlawful under the equality act 2010.

The Preschool will treat all complaints of harassment and bullying seriously and will investigate them promptly and in confidence.

Harassment and Bullying

Bullying at work is defined as behaviour that is:

- threatening, aggressive or intimidating
- abusive, insulting or offensive
- cruel or vindictive.
- humiliating, degrading or demeaning.

Harassment is unwanted conduct which violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for that person. Certain forms of harassment at work will amount to unlawful discrimination. Harassment will amount to discrimination if it relates to a "relevant protected characteristic", such as sex, marital status, race, disability, religion or beliefs, sexual orientation, age or gender reassignment. For the purposes of this Policy this list should be considered non-exhaustive, and harassment or bullying on any grounds will not be tolerated by the Preschool. Bullying or harassment may be persistent or an isolated incident, obvious or subtle, face-to-face or indirect.

Examples of behaviour which may constitute harassment or bullying include (but are not limited to):

- spreading malicious rumours
- professional or social exclusion
- insulting behaviour
- unwelcome sexual advances or physical contact
- unfounded threats relating to job security
- calculated undermining of an employee's competence, for example through a consistently unreasonable or unfair workload or overbearing supervision
- physical assault
- abusing a position of power

- verbal abuse, threats, derogatory name-calling, inappropriate banter, ridicule, insults and offensive or embarrassing jokes
- cyber-bullying e.g. sending offensive emails, texts or visual images, or posting embarrassing images on social media
- derogatory graffiti/insignia or display of derogatory or offensive material
- inciting others to commit any of the above

The right not to be harassed at work extends to all workers, so agency temps, casual staff and contractors are protected.

A worker does not actually need to possess the relevant protected characteristic in order to make a complaint of harassment. An employee can complain of unlawful harassment if they have experienced:

- harassment because they are related to, or associate with, an individual who possesses a relevant protected characteristic
- harassment by a colleague with the mistaken belief that they possess a relevant protected characteristic

Unlawful Grounds of Harassment or Bullying

The Preschool reiterates that it will not tolerate any instance of harassment or bullying, regardless of the grounds. This Policy will equally apply to work-related events even if they occur away from the normal workplace. The following are expressly unlawful grounds by which a person may experience harassment:

Sex

This is behaviour that is unwanted or unwelcome that could be seen as sexual or to do with an individual's gender e.g. sexist jokes. This might also include sexually suggestive jokes or innuendo, unnecessary touching or suggestions that sexual favours may advance their career.

Marital Status

Harassment on the grounds of a person's marital status.

Gender Reassignment

Harassment or bullying on the grounds that a person intends to undergo gender reassignment, is currently undergoing gender reassignment or has already undergone gender reassignment.

Race

Harassment or bullying on the grounds of race, colour, ethnicity or nationality. This might include offensive remarks about an individual's race, ethnic or national origin or ridicule/assumptions based on racial stereotypes.

Disability

Bullying or harassment on the grounds of a person's disability. This might include making assumptions or jokes/offensive remarks based on an individual's disability.

Sexual Orientation

Bullying or harassment on the grounds of a person's sexual orientation, applying equally to "same sex" orientation, "opposite sex" orientation and "both sexes" orientation. This might include 'outing' an individual without their permission or asking intrusive questions about their private life.

Religion or Belief

Harassment or bullying on the grounds of a person's religion or beliefs. This might include derogatory remarks made about a particular item of clothing or jewellery worn by an individual as a symbol of their religion.

Age

Harassment on the grounds of a person's age, applying equally to all people regardless of age e.g. banter or jokes that make fun of older people or demean their abilities.

Reporting Harassment

Employees have the right to complain if they are treated in a way that they believe constitutes harassment or bullying. Aside from complaints about the behaviour of colleagues, employees have the right to complain if they believe they have been bullied or harassed by a third party e.g. a parent, carer or visitor.

Employees who make a genuine complaint under this policy will not be subjected to any unfavourable treatment or victimisation as a result of making the complaint.

Procedure for Complaints

Any employee who feels that they have been subjected to harassment or bullying by any other member of staff, should raise the matter as soon as reasonably practicable.

Employees can raise a complaint informally and/or formally. They should contact the Manager or Committee in the absence of that manager or where their complaint is against that specific manager.

Before raising a formal complaint, the employee is encouraged to talk directly and informally to the person whom they believe is harassing him or her, using the informal procedure below. It may be that the person whose behaviour is causing offence is genuinely unaware that his or her behaviour is unwelcoming or causing distress and that a direct approach can resolve the matter without the need to use the formal procedure.

Informal Procedure

If the employee feels able, they should speak up at the time when they feel harassed or bullied. It is important to be direct and for the employee to state explicitly that they feel they are being harassed and that the behaviour is unacceptable to them. The employee can also discuss the matter with another colleague or their supervisor and ask them to speak to the harasser on their behalf.

Alternatively, if the employee feels unable to speak to the harasser directly, they could write a letter to them which clearly identifies the offending behaviour and requests that it stops immediately. The employee should sign and date any such letter and ensure that a copy is kept for any possible future formal complaint. It is also advisable that the employee keep an 'incident diary' of any offending behaviour.

Where the informal procedure has not resolved an employee's complaint, a formal grievance can be raised by the employee.

Formal Procedure

Any employee who feels that they have been subjected to harassment or bullying may at any time decide to deal with the issue through formal procedures (using the Preschool's grievance procedure), regardless of whether informal steps have been taken or not.

When bringing a complaint of bullying or harassment, the employee should state:

- The name of the person whose behaviour is believed to amount to bullying or harassment
- The behaviour that is causing offence, with specific examples
- Dates and times when incidents of harassment or bullying occurred
- The names of any employees who witnessed any incidents
- Details of any action the employee has taken to try and address the bullying/harassment

The Preschool will investigate any informal or formal complaint thoroughly and fairly.

An employee accused of harassment or bullying will be informed of the exact nature of the complaint against him or her and given a full opportunity to give his or her version of events.

During the investigation, the Preschool reserves the right to suspend or temporarily redeploy either the employee making the complaint of harassment or bullying, or the employee suspected of harassment or bullying. Suspension will be on full pay and is not a disciplinary sanction. As soon as the investigation is complete, the Preschool will inform the employee suspected of bullying or harassment of the outcome and decide if it is appropriate to start disciplinary proceedings.

Consequences of Breach

Harassment is a disciplinary offence and will be dealt with according to the Preschools Disciplinary's Procedure. Bullying, harassment, victimisation or discrimination may constitute gross misconduct, punishable by summary dismissal without notice. Employees should bear in mind that harassment or bullying may also constitute a criminal offence punishable by a fine and/or imprisonment

Responsibilities of Employees and Managers

All employees are responsible for their own behaviour and should ensure that they comply with this Policy at all times.

All managers are responsible for implementing this Policy and bringing it to the attention of employees. Any complaints under this Policy brought to the attention of a manager must be dealt with promptly, confidentially, fairly and consistently.

Confidentiality

The Preschool will treat any complaint received under this Policy confidentially.

All employees involved with an investigation are required to respect the need for confidentiality.

The Preschool will maintain records of investigations into alleged incidents of harassment or bullying and the outcome of the investigations. These records will be maintained in confidence and in line with the Preschool's Data Protection Policy.

Any breaches in confidentiality will be subject to disciplinary action.

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Position:	Committee Chair
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